IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.51 OF 2005

Re : Ganesh Sugar Supply Co.& Ors. ...Debtors.
Ex-parte:
Kanchan Diwakar Tirodkar. ..Petg. Creditor.

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Ms. K.S. Lalwani for the Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 1, 2006.

P.C.

In this case, an insolvency notice dated 25th November 2004 was issued based on a decree on admission passed by the City Civil Court. The insolvency notice was served on 22nd December 2004. The act of insolvency was complete on 27th January 2005. Though served, the Debtors have not taken out any Notice of Motion for setting aside the insolvency notice. The petition has been served on 5th August 2005. There is no reply to the petition. The petition is made absolute in terms of prayer clause (a). However, having regard to the provisions of Section 90 (1) of the Presidency Towns Insolvency Act, 1909 and since Petition Nos.43 of 2005 and 44 of 2005 have already been allowed, it would be appropriate to direct that the proceedings

arising out of the present petition be consolidated with the proceedings in the earlier petitions. In these circumstances, a separate advertisement is dispensed with in this case.

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